## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	) Examiner: Bunner, Bridget E.
Kevin P. BAKER, et al.	) Art Unit: 1647
Application Serial No. 10/015,822	) Confirmation No: 8184
Filed: December 10, 2001	) Attorney's Docket No. 39780-2830 P1C38
For: SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND NUCLEIC	) Customer No. 35489
ACIDS ENCODING THE SAME	) .

EXPRESS MAIL LABEL NO. <u>EV 582 628 195 US</u>

DATE MAILED: FEBRUARY 2, 2005

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

## MAIL STOP AMENDMENT

Commissioner for Patents PO Box 1450 Alexandria, Virginia 22313-1450

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form Supplemental PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

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	This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply)					all that apply):	
		(1) than	It is being filed a continued prosed OR				ng date and is other
		(2)	It is being filed	d within 3 n	nonths of entry	of a national	stage
		(3) meri	It is being filed ts	d before the	mail date of t	he first Office	Action on the
		(4) of a	OR It is being filed request for continu				tion after the filing
	filing d stage as action of	ate of a natior s set forth in § on the merits,	nal application; (2) 1.491 in an interna	three monational appl ling date of	ths beyond the lication; or (3)	date of entry the mailing d	months beyond the of the national ate of a first Office action under §1.113
		a certification as specified in §1.97(e) is provided below; or					
			.00 as set forth in of other papers file	· · · · ·			, or included with
	office a	37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:					
	A.	a certification	n as specified in §	1.97(e) is co	ompleted belo	w; and	·
	B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; and						
	C. a fee of \$130.00 as set forth in \$1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.						
$\boxtimes$	Fee Authorization. The Commissioner is hereby authorized to charge the above-referenced fees of \$180.00 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 08-1641 (Attorney's Docket No. 39780-2830 P1C38).						
	,			Respectfi	ılly submitted,		
Dated:	Februar	y 2, 2005	·.	By:	a L. Barry (Re	My eg. No. 51,436	<del>)</del>
275 Mi Menlo	ddlefield Park, Ca		TE & McAULIFF 5-3506	E LLP			

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Facsimile: (650) 324-0638

Form PTO-1449			D-1449	Attorney's Docket No.   Application Set   39780-2830 P1C38   10/015,822			₁al No.				
INFO	RMATI	ON DISCLO	SURE STATEMENT	Applicant(s)							
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(use several sheets if necessary)				Filing Date:		Group Art Unit:					
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				U.S. PATENT DOCUMENTS			I FILL D.				
Examiner Initials	Ref.	Date	Document No.	Name	Class	Subclass	Filing Date (if appropriate)				
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Initials	No.			·			YES	NO			
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51				OTHER DOCUMENTS							
Examiner	Ref.	Title	(incluaing	g author, title, date, pertinent pages, et	c.)						
Initials	No.	Title									
	1.	Hanna, J.S., et al., "HER-2/neu Breat Cancer Predictive Testing", Oathology Associates Medical Laboratores - (1999).									
.,	2.	Hyman, E., et al., "Impact of DNA Amplification on Gene Expression Patterns in Breast Cancer <sup>1,2</sup> ", Cancer Research – 62:6240-6245 (2002)									
	3.	Orntoft, T	「.F., et al., "Genome-wide	e Study of Gene Copy Numbers, Trans	cripts. and Prot	ein Levels in	Pairs of Non	]•			
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	4.		Pollack, J.R., et al., "Microarray Analysis Reveals a Major Direct Role of DNA Copy Number Alteration in the								
		Transcrip	tional Program of Huma	n Breast Tumors", <i>PNAS</i> – <u>99(20)</u> :129	63-12968 (2002)						
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EXAMINER: DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

\*If an asterisk is placed beside the reference number, a copy is not provided because the reference was previously cited by or submitted to the

\*If an asterisk is placed beside the reference number, a copy is not provided because the reference was previously cited by or submitted to the PTO in a prior application that is identical in the statement and relied upon for an earlier filing date under 35 U.S.C. §120. 37 C.F.R. §1.98 (d).

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